IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO.327 OF 2006

In

CRIMINAL APPEAL NO.312 OF 2006

Manoj Bhaidas Patil : Petitioner

V/s.

The State of Maharashtra : Respondent

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Mr.Z.M.Avhad for the petitioner.

Mrs.V.R.Bhosale, Addl. Public Prosecutor for the State.

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CORAM : D.G.DESHPANDE & S.A.BOBDE,JJ.

DATE : JULY 26, 2006.

P.C.

1. Both the accused-husband and his wife were suffering from AIDS. The wife was pregnant for three months. Therefore, they decided to end their lives. A suicide note was prepared. Both of them cut their throats. This is the prosecution case. The wife died while the applicant-husband was hospitalised for one-and-a-half months due to the serious injuries. The trial Court came to the conclusion that there was no conclusive proof to show that both of them were suffering from AIDS. In any case, the facts of the case and the injuries suffered by

the applicant and his contention that he too is suffering from AIDS make out a case for bail. Therefore, the following order:-

O R D E R

This application is allowed. The applicant-accused be released on bail on P.R. bond of Rs.10,000/- (Rupees Ten Thousand only) with one or two sureties in the like amount. The applicant shall attend Panchavati police station, Nasik City, once in two months till the disposal of the appeal. His substantive sentence is suspended pending the appeal. Fine, if any, should be paid before he is released on bail.

2. The appeal is expedited.

D.G. DESHPANDE, J.

S.A. BOBDE, J.